In the High Court for the States of Punjab and Haryana, at Chandigarh.

C.R.No. 6903 of 2006
Decided on January 10,2007.

Mukesh Kumar and another ---- Petitioners

vs.

Parmanand --- Respondent.

Present: Mr. Sunil Panwar, Advocate, for the petitioners

Mr.Vibhav Jain,Advocate, for the respondent.

Pritam Pal,J: (Oral)

This Civil Revision by the petitioners is directed against the order dated November 11,2006, whereby an application of the petitioners for examining one Qimati Lal Aggarwal, who was an employee of the Bank, was dismissed.

After hearing the learned counsel for the parties, it is apparent that the petitioners had closed their evidence on October 23,2006, but inadvertently, the aforesaid witness could not be examined, however, he was a summoned witness, for whom process fee was also filed. Now, it is stated by learned counsel for the petitioners that he is the only witness, who can prove the rent note, which is already on the file. This submission of the learned counsel for the petitioners has been contested with the contention that already ample opportunities were granted to the defendant/petitioners for adducing their evidence.

Be that as it may, in the given facts and circumstances

of this Civil Revision, one more opportunity is granted to the petitioners for examining the aforesaid witness at their own responsibility and the witness shall be examined subject to costs of Rs.500/-.

With the aforesaid observation, this Civil Revision is disposed of with a direction that the trial Court shall give only one effective opportunity to the petitioners/defendants for examining the aforesaid witness at their own responsibility.

Since this case is stated to be fixed for tomorrow before the trial Court, a copy of this order be given dasti to learned counsel for the petitioners under the signatures of this Court's Secretary.

January 10,2007 (Pritam Pal)
RR Judge